

CASE SU-7155-C
Appl No. 10/688,125**R E M A R K S**

A requirement for restriction has been made between the following inventions:

- I. Claims 1-8, drawn to methods, classified in class 514, subclass 389; and
- II. Claims 9-13, drawn to dispensers, classified in class 220, subclass 560.

Applicants respectfully traverse this requirement. As the Examiner appreciates, requirements for restriction are optional, not mandatory. In the present situation, there are only 13 claims in the case and based on the information given in the Office Action there are only two subclasses involved. The filing fee paid in this application includes money for conducting a search of reasonable scope. As stated in 37 CFR 1.104(a)(1):

On taking up an application for examination . . . the examiner shall make a thorough study thereof and shall make a thorough investigation of the available prior art relating to the subject matter of the claimed invention. The examination shall be complete with respect both to compliance of the application . . . with the applicable statutes and rules to the patentability of the invention as claimed, as well as with respect to matters of form, unless otherwise indicated.

Thus, if the content of the above two subclasses is not so voluminous as to necessitate expenditure of an excessive amount of time, perhaps the burden would not be a serious one. Hopefully, a search complying with the requirements of "a thorough study" or "a thorough investigation" or an examination that is "complete", all as set forth in the Code of Federal Regulations, and as paid for on behalf of the Applicant, would not constitute a serious burden and consume an excessive amount of time. Further, it is Applicants' understanding that electronic searching capabilities have been made available to the Examining Corps for search purposes and thus laborious, time-consuming manual searching is no longer required.

Accordingly, Applicants respectfully request reconsideration of the requirement for restriction.

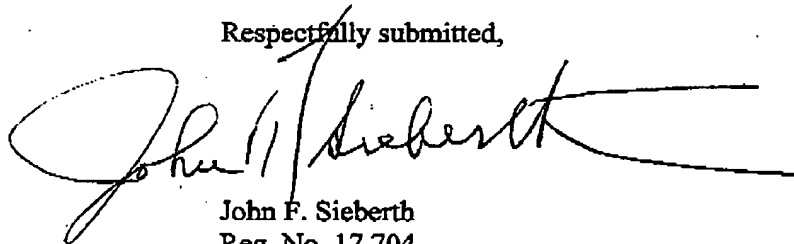
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In order to be fully responsive, Applicant provisionally elects with traverse the invention of Group I, composed of Claims 1-8.

Favorable Action is solicited. If matters remain requiring further consideration that may be expedited by discussion, the Examiner is requested to telephone the undersigned at the number given below so that such matters may be discussed and, if possible, promptly resolved.

Please continue to address correspondence in this application to Mr. Spielman at the address of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John F. Sieberth", with a long horizontal flourish extending to the right.

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